



DEPARTMENT OF THE ARMY

U.S. Army Corps of Engineers  
WASHINGTON, D.C. 20314-1000

REPLY TO  
ATTENTION OF:

15 MAR 1995

CECC-ZA

MEMORANDUM FOR All Major Subordinate Commands, District Commands,  
Field Operating Activities and USACE Laboratories; HQUSACE  
Directors and Chiefs of Separate Offices

SUBJECT: SUPPORT TO PROFESSIONAL ORGANIZATIONS

1. References: (a) Standards of Ethical Conduct for Employees of  
the Executive Branch, 5 CFR 2635, August 1992

(b) DOD 5500.7-R, Joint Ethics Regulation (JER),  
August 1993

(c) Private Organizations Reference Guide, HQDA,  
January 1995.

2. This memorandum sets forth the DOD rules applicable to support to professional organizations. References (a) and (b) are the sources of most of these rules. Reference (c) is a summary of the rules and was prepared as a management tool to increase the awareness of senior leaders about this important issue. The rules governing support to private (including professional) organizations arise out of the application of the principles of public service. Those principles which most frequently apply are:

a. Employees shall act impartially and not give preferential treatment to any private organization or individual;

b. Employees shall not engage in outside activities that conflict with their official Government duties and responsibilities;

c. Employees must be good stewards of tax dollars and shall protect and conserve Federal property;

d. Employees shall not use public office for [anyone's] private gain;

e. Employees shall avoid all actions which create the appearance of violating any of these principles.

3. It is important to distinguish between official Government support to professional organizations and support by employees acting in their personal capacity.

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a. The restrictions that apply to official support by DOD agencies to professional organizations and their activities are:

(1) No preferential treatment:

(a) DOD employees must be neutral in their dealings with professional organizations.

(i) Preferential treatment may not be given to any professional organization, even if it espouses DOD goals or supports the military community.

(ii) Support provided to one professional organization must be given to all similar organizations, if requested.

(b) DOD employees may not officially endorse specific professional organizations or their activities.

(c) DOD employees may not be coerced, influenced or compelled to join a specific professional organization or participate in its activities.

(2) No Conflicts of Interests:

(a) DOD employees may not be appointed as a liaison to a professional organization if they are an officer, director, or other official of that organization.

(b) DOD employees who are appointed as liaisons to a professional organization may only participate in and vote on matters of mutual interest.

(c) DOD liaisons may not participate in membership drives, fund-raising activities or the management of a professional organizations.

(d) DOD employees as a liaison may not participate in any official action affecting the finances of the professional organization.

(3) Good Stewards of Tax Dollars:

(a) Attendance at professional organization events should be kept to a minimum necessary to perform the DOD mission and satisfy professional development requirements.

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(b) Funds may not be transferred to professional organizations except as authorized by law (contract or grant)

(c) Expenditure of resources in support of professional organization activities must be commensurate with the benefit and interest of the event to DOD.

(d) A legitimate Government interest and purpose must exist for DOD participation in a professional organization activity.

(e) Government services may not be provided to professional organizations (i.e. legal, audit, transportation, postal, printing, data processing, clerical, purchasing, copying).

b. The restrictions that apply to DOD employees participating in professional organizational activities in their personal capacities are:

(1) No Conflicts of Interests:

(a) DOD employees who are officers, directors or other officials may not personally participate in any official action which affect the finances of that professional organization, including approval of:

(i) TDY to an conference sponsored by the professional organization for which a fee is charged.

(ii) A request for support for a conference by providing speakers, panel members or exhibits.

(iii) A request to engage in a cooperative effort, i.e. co-sponsorship of a conference.

(iv) A request to use a conference room for a meeting.

(b) DOD employees may not personally seek official action on behalf of a professional organization from any Federal entity.

(i) This prohibition applies even if the officer or employee is on leave or other excused absence and without regard to their official position.

(ii) Requests by professional organizations for support from Federal agencies must be made by members who are not Government employees.

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(2) Public Office May Not be Used for Private Gain of Any Individual or Entity:

(a) DOD employees may not accept gifts (including free admission to events) offered because of their official position, unless one of the exceptions of 2635.204 of reference (a) apply.

(b) DOD employees may not accept positions as officers, directors or similar positions offered because of their official positions.

(c) DOD employees may not use their office, title or position in connection with their personal participation in professional organization activities.

4. The DOD rules specifically permit the following:

a. Official Support:

(1) DOD employees may be encouraged to join, support and participate in the activities of professional organizations, without reference to specific organizations.

(2) Official channels may be utilized to notify DOD employees of professional organization activities.

(3) Co-sponsorship of conferences, symposia and meetings with professional organizations is authorized when:

(a) The subject matter of the conference is relevant to DOD's mission.

(b) The purpose of the co-sponsorship is to transfer federally developed technology, or to stimulate wider interest and inquiry into scientific, technical or professional issues.

(c) The co-sponsorship is accomplished through a written agreement setting forth the obligations of each party.

(4) Speakers, panel members and other participants in professional organization conferences and similar events may be provided.

(5) DOD employees may be appointed as liaisons to professional organizations if there is a significant and continuing DOD interest to be served.

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b. Personal Support:

(1) DOD employees are encouraged to join and participate in the activities of professional organizations.

(2) DOD employees may serve as officers, directors and other officials of professional organizations.

(3) DOD employees may be given time off without being charged leave and may use some Government resources in support of their personal participation in professional organization activities (e.g. writing papers for presentation at a symposium).

(4) DOD employees may be allowed the use of office telecommunications equipment for local calls, word processing equipment, libraries and similar resources and facilities (but not copiers) whose use would not affect Government costs significantly if:

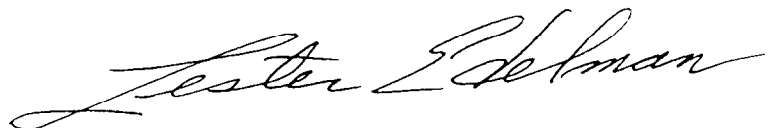
(a) A legitimate public interest is served by the use or the use would enhance the professional development of the employee in his current position;

(b) The use of such resources is made only during personal time, such as excused absence, lunch period or after duty hours.

(c) The use does not interfere with the performance of official duties.

5. Because the rules regarding support to private organizations are complex, consult your supporting Ethics Counselor whenever such issues arise.

6. Enclosed are questions and answers regarding specific situations involving support to professional organizations which have arisen in the past.



Enclosure

LESTER EDELMAN  
Chief Counsel  
Deputy Designated Agency  
Ethics Official

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#### QUESTIONS AND ANSWERS

1. Q. May a division or district commander be elected as president of a local chapter of a professional organizations?

A. Yes. There is no prohibition against a commander, in his personal capacity, being elected as officer or director of a professional organization. A commander may not, however, accept an appointment as an officer or director in a professional organization if it is offered because of his official position. Note that the prohibition is on the commander accepting the position. A professional organization offering such a position has not violated any rule, even though the offer cannot be accepted.

2. Q. What restrictions apply to a commander who becomes the president of a local professional organization chapter?

A. When a commander becomes an officer, director or other similar official of a professional organization, he is disqualified from participating in any official action affecting to the finances of that organization. The commander, then, could not approve travel for himself or any member of his command to attend a conference sponsored by that organization where a fee is charged. He could not approve the use of a conference room in the HQ for a meeting of that professional organization or a request to provide speakers for a conference.

Authority to act on matters relating to that organization may not be delegated by the commander to his deputy or any other employee. The commander may, however, appoint an employee as a permanent authority to act upon requests for support from all professional or private organizations. An employee so appointed must not be officer or director of any organization which would disqualify him/her from acting upon requests for support.

3. Q. How many employees may be sent by a district to a professional organization conference?

A. As good stewards of tax dollars, attendance at private organizations conferences must be kept to the minimum necessary for performance of the mission and professional development. DOD officials must insure that expenditures of employee time and money is commensurate with the benefit received by DOD and, of course, that budgetary constraints and mission accomplishment must be taken into account.

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4. Q. Can a liaison be appointed to a professional organization?

A. Yes, if there is a significant and continuing DOD interest to be served. A liaison may not participate in the management of the professional organization and is disqualified from participating in any official action affecting it.

5. Q. Can a commander write a letter urging the members of his command to join a professional organization?

A. No. Official endorsements may not be made of any private organization or its activities. The commander may write a letter urging the members of his command to join and participate in the activities of professional organization in general, but may not single out any organization by name. The fact that a professional organization espouses goals similar to those of DOD and supports the military community does not permit it to receive preferential treatment.

6. Q. May a commander who is the president of a professional organization sign a letter urging people to join that organization?

A. In his personal capacity as president of the professional organization, a commander may sign a letter encouraging membership in that organization. The letter should be written on letterhead of the organization and signed as president. The commander's rank and service may be used, but not his official title or position.

7. Q. Can an employee who is attending a professional organization conference in TDY status attend a business meeting of that organization?

A. Yes, but the business meeting should be conducted on the employee's personal time and not during the hours that the conference is in session.

8. Q. Can the Government pay the postage for sending notices of professional organization meetings to its employees?

A. No. Government mail is for official use only. However, meeting notices may be sent to employees through "in-house" distribution.

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9. Q. Can a district co-sponsor a meeting or conference with a professional organization?

A. Yes, if the subject matter of the meeting or conference is relevant to the district's mission; the purpose of the co-sponsorship is to transfer federally developed technology or to stimulate wider interest and inquiry into scientific, technical or professional issues; and the co-sponsorship is accomplished through a written agreement setting forth the responsibilities of each party.

10. Q. Can professional organization meetings be held at Government facilities?

A. Yes, as long as no significant costs to the Government are incurred and the meeting doesn't interfere with Government operations. Preferential treatment may not be given to any professional organization. If one professional organization is allowed to hold meetings at a Government facility, so should any other similar professional association who asks.

11. Q. Can Government exhibits be used at a professional organization conference?

A. Yes, as long as they are existing exhibits and not created just for this conference.

12. Q. Can a secretary be used to register attendees at a professional organization conference?

A. No. DOD personnel may not be utilized to provide support services for professional association conferences.

13. Q. Can DOD employees and facilities be used to write, prepare and lay out, as camera ready copy, a monthly newsletter for a professional association?

A. Newsletters, which contain information pertaining to the operation and events of the professional organization may not be prepared using DOD resources. Articles for publication in a newsletter on subjects of professional interest may be written by DOD employees with permission of their supervisors during hours, workload permitting.

14. Q. Can duty time be authorized to attend local professional association luncheon meetings?

A. Attendance of local professional association luncheons may be authorized when items of professional interest are presented.